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TO: Roy Gibson, Examiner
FROM: Kevin D. McCarthy
FAX NO. 571-273-4767
RE: Serial No.: 10/728,410
Our File No.: 0-03-239
DATE: September 15, 2005

NUMBER OF PAGES TRANSMITTED: COVER + 9

MESSAGE:

Attached is a copy of the response to the Office Action that was mailed on March 11, 2005, along with a copy of the return postcard from the USPTO.

Please contact KRISTEN Immediately if all pages are not received or if we are disconnected during transmission.

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Patent 0-03-239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paolini
Title: INFLATABLE BLANKET WITH A TIE
Serial No. 10/728,410
Filing Date: December 5, 2003
Examiner: Roy D. Gibson
Art Unit 3739

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response is in reply to the office action mailed on March 11, 2005.

In the office action, the examiner (1) rejected claims 1-3 and 5,6,8,9,11,12,14,19, and 21 as being unpatentable over Anderson et al. (6,309,409) in view of Islava (6,719,711); (2) objected to claims 4, 7, 10, 13 and 20 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim; and (3) allowed claims 15-18.

The allowance and the objections are greatly appreciated. The applicant has not amended claims 15-18 which were rendered allowable. The applicant has (a) incorporated the language of objected to claim 10 into independent claim 9; (b) incorporated the original language of independent claim 9 into objected to claim 13 (there were no intervening dependent claims); and (c) incorporated the language of objected claim 20 into independent claim 19. That means, these claims and dependent claims should be allowable over the cited references.

Applicant amended claim 1 to change the term "fixedly" to "permanently." The antecedent basis for this amendment can be found at page 7, line 22. This amendment was inserted because the examiner interpreted the phrase to "fixedly" to mean "removably" which includes "Velcro type fastener" of Islava. To overcome this overly broad interpretation, applicant has amended the language in claim 1 accordingly. By using the term "permanently" the applicant is by no means stating that the attachment portion can never be removed. The attachment portion that is permanently attached to a non-periphery surface of the inflatable apparatus will remain attached to each other but can be separated from each other through an excessive force applied to either the portion

U.S. Patent & Trademark Office

Inventor: Paolini
Title: Inflatable Blanket with a Tie
Serial No.: 10/728,410
Filing Date: 12/5/03
Examiner: Roy D. Gibson
Art Unit: 3739
Response: (8 pages)

Postcard: Stamped, self-addressed
Our Ref. No.: 0-03-239

